



12/12/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

cket No. 65542/JPW/MS

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn.: BOX PATENT APPLICATION  
S I R:

December 12, 2001

jc761 U.S. PTO  
10/021338  
12/12/01

Transmitted herewith for filing are the specification and claims of the patent application of:

Elena Feinstein, Igor Mett, Sylvia G. Kachalsky and Svetlana Gorodin \_\_\_\_\_ for  
Inventor(s)  
GENES INVOLVED IN STROKE RESPONSE AND/OR REGULATED BY FK506, PROTEINS ENCODED THEREBY,  
AND METHODS OF USE  
Title of Invention

Also enclosed are:

X 6 sheet(s) of \_\_\_\_\_ informal X formal drawings.

X Oath or declaration of Applicant(s) -- unsigned.

X A power of attorney - unsigned.

\_\_\_\_\_ An assignment of the invention to \_\_\_\_\_

\_\_\_\_\_ A Preliminary Amendment

\_\_\_\_\_ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27.

The filing fee is calculated as follows:

## CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	45 -20	=	25	X	\$9.00	\$18.00	\$	\$450.00
Independent Claims	8 -3	=	5	X		\$84.00	\$	\$420.00
Multiple Dependent Claims Presented: _____ Yes <u>X</u> No							\$	\$ 0.00
*If the different in Col. 1 is less than zero, enter "0" in Col. 2					BASIC FEE			\$740.00
					TOTAL FEE		\$	\$1,610.00

10024338-121201

Applicants: Elena Feinstein, et al.  
Filed: December 12, 2001  
Letter of Transmittal  
Page 2

December 12, 2001

X A check in the amount of \$ 1,610.00 to cover the filing fee.

\_\_\_\_\_ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

X The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the following or credit any over-payment to Account No. 02-1125:

X Filing fees under 37 C.F.R. §1.16.

X Patent application processing fees under 37 C.F.R. §1.17.

\_\_\_\_\_ The issue fee set in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).

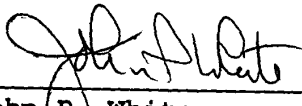
X Three copies of this sheet are enclosed.

\_\_\_\_\_ A certified copy of previously filed foreign application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ Applicant(s) hereby claim priority based upon this aforementioned foreign application under 35 U.S.C. §119.

X APPLICANT HEREBY REQUESTS THAT THE SUBJECT APPLICATION NOT BE PUBLISHED UNDER U.S.C. 122(b), AND CERTIFIES THAT THE INVENTION DISCLOSED IN THE APPLICATION HAS NOT BEEN AND WILL NOT BE THE SUBJECT OF AN APPLICATION FILED IN ANOTHER COUNTRY, OR UNDER A MULTILATERAL INTERNATIONAL AGREEMENT, THAT REQUIRES PUBLICATION AT EIGHTEEN MONTHS AFTER FILING.

X Other (identify): Express Mail Certificate of Mailing Bearing  
Express Mail Label No. E1398169430US dated  
December 12, 2001; one loose set of formal  
drawings (6 sheets).

Respectfully submitted,

  
\_\_\_\_\_  
John P. White  
Registration No. 28,678  
Attorney for Applicant(s)  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elena Feinstein, et al.  
Serial No.: Not Yet Known  
Filed : Herewith  
For : GENES INVOLVED IN STROKE RESPONSE AND/OR  
REGULATED BY FK506, PROTEINS ENCODED THEREBY,  
AND METHODS OF USE

1185 Avenue of the Americas  
New York, New York 10036  
December 12, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn.: BOX PATENT APPLICATION

Sir:

**EXPRESS MAIL  
CERTIFICATE OF MAILING  
FOR THE ABOVE-IDENTIFIED APPLICATION**

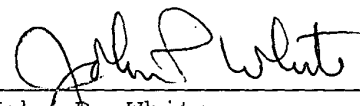
"Express Mail" mailing label number: EL398169430US

Date of Deposit: December 12, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, Attn.: BOX PROVISIONAL APPLICATION.

Printed Name: John P. White

Respectfully submitted,

  
John P. White  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

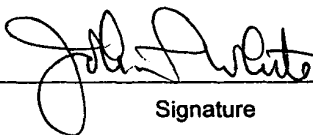
First Named Inventor **Elena Feinstein et al.**Title **GENES INVOLVED IN STROKE RESPONSE AND/OR  
REGULATED BY PK506, PROTEINS ENCODED  
THEREBY, AND METHODS OF USE**Atty Docket Number **65542/JPW/MS**

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 12, 2001

Date



Signature

John P. White, Reg. No. 28,678

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

10021333-4212001